

Draft Fiscal Impact Statement

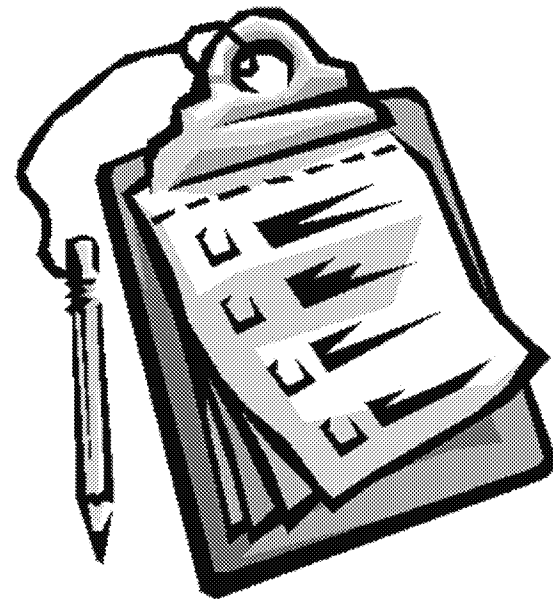
Water Quality Standards and Assessment

Presentation to Willamette Basin Mercury MDV Advisory Committee
June 3, 2019

DEQ Headquarters, Portland, OR

Topics

- Fiscal impact requirements
- Assumptions
- Fiscal impacts
- Advisory committee feedback



Notice requirements (ORS 183.335)

- Statement of fiscal impact identifying state agencies, units of local government and the public that may be economically affected by the rule.
- An estimate of that economic impact on state agencies, units of local government and the public.
- The agency shall utilize **available information** to project any significant economic effect of that action on businesses which shall include a cost of compliance effect on small businesses affected.
- The statement of fiscal impact shall include a housing cost impact statement.



Fiscal impact requirements (ORS 183.333)

- An agency shall consider an advisory committee's recommendations in preparing the statement of fiscal impact.
- ...the agency shall seek the committee's recommendations on:
 - whether the rule will have a fiscal impact,
 - what the extent of that impact will be;
 - whether the rule will have a significant adverse impact on small businesses.
- If the committee indicates that the rule will have a significant adverse impact on small businesses, the agency shall seek the committee's recommendations on compliance with ORS 183.540 (Reduction of economic impact on small business).



Assumptions in fiscal impact

- MDV provides means to comply with water quality based effluent limits for mercury infeasible to achieve with technology.
- MMPs and associated sampling would be required with or without MDV.
- Dischargers would otherwise apply for individual variances.
- No fiscal impact for authorization amendments.



Benefits

- Resource savings for permittees and DEQ.
 - Only need to justify variance once.
 - One EPA approval process
 - HAC re-evaluation done for all covered dischargers at once.



Cost of compliance

- Less than cost of compliance without MDV.
- Additional time to apply for individual variance.
- Additional time to do five-year HAC re-evaluation.
- Permit limits and monitoring requirements for mercury will be the same whether under MDV or individual variance.



Impacts to DEQ

- Saves time for permitting, standards and enforcement staff.
 - Less effort per permit than managing individual variance approval process .
 - Less effort per permit for HAC re-evaluation.



Impacts to local government and businesses

- Could impact 23 major WWTPs and up to 35 industrial NPDES permittees.
- Means for complying with effluent limits for while still reducing mercury.
- Reduce effort to apply for individual variances.
- Focus on MMP implementation, not enforcement.
- Cannot quantify how much effort the MDV will save, as that will vary for each facility.



Advisory committee comments

- Do the proposed rules would have a fiscal impact?
- What is the extent of the impact?
- Do the proposed rules would have a significant adverse impact on small businesses?



DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

